FOR MYSORE STATE

Passed
Jany

time (195) Department

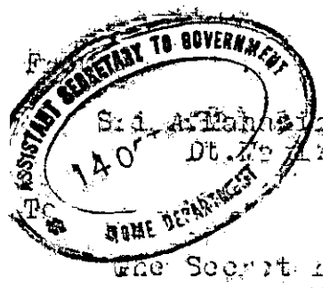
Kt. SERIES.

G.O. No. 3744

Dated 24 (n 5.)

[Despatch Abstract.]

of C.B.4745/53. S.K. memo Dt.Nil, etc. to the Collector, Mangalore, dated 11.10.53.



From Sri A.Ramalingam Chettiar, I.A.S.,
140 Dt.Nil etc. South Kanara.

To The Secretary to Government,
Home Department, Fort St. George,
MADRAS.

Sir,

Magistrates - Honorary - I Class Bench Court Udipi - Gopal Nayak (Sri) P. - Resignation - Appointment of a substitute - Proposals - submitted.

193069

I submit below proposals for the withdrawal of Sri P.Gopal Nayak, Hon. Magistrate, I Class Bench Court, Udipi and for the appointment of the substitute.

2. Sri P.Gopal Nayak was originally appointed as the President I Class Bench Court Udipi and also as the Hon. Special I Class Magistrate sitting singly at Udipi in G.O.Ms.No.2311 Home Department dated 31.7.52 and G.O. 46 Home dated 23.1.51 respectively. In view of the circumstances reported by my predecessor in his memo.ref.C3.71454 dt.(illegible) dt.23.12.52, the Government in their order G.O.Ms.No. Home dt.6.1.53, were pleased to appoint Sri K.L.Rai Bahadur as the Special I Class Magistrate, sitting at Udipi and in Govt.memo No.24653 Courts II/52-1 Home dt. 6.1.53 Sri P.Gopal Nayak was informed that his appointment as special magistrate is for the period upto 30.7.1954.

3. Sri P.Gopal Nayak applied for leave from 6.1.53 to 20.1.53 saying that he wanted to go to Bombay to see his daughter in the first instance and has been asking for extension of the leave from Udipi piecemeal. In his letter dated 5.10.53 he has stated that the operation on his eye requires another two or three months and he is not in a position to join duty. His letter in which he has tendered his resignation is enclosed. In this connection I may state that Sri P.Gopal Nayak [illegible] and his operation is shaky. Due to [illegible] he cannot do riding. I therefore feel that the [illegible] by him may be accepted [illegible]

17cf (B)
(G.O. Mr. public transferred to Andhra state - specialist)
1/4/1-3cf (1)
Mysore III Ms 1-12cf (1)
Ms 13-14cf etc
para 5 below
Ibid
M
17cf (B)

4 If the resignation of Sri P. Gopal Nayak is accepted Sri Kalyanpur Krishnaya who is also working as Hon. Spl. I Class Magistrate Udipi appointed in G.O.No. 35 Home dated 6.1.53 may be appointed as the President I Class Bench Court Udipi. He is a retired Dy.Collector. As there is no separate staff for the Court of the Special I Class Magistrate Udipi it will be conducive to the smooth working of the courts if both the posts of Special I Class Magistrate and the President I Class Bench court are held by one and the same person. Sri K.Krishnaya is willing to take up the appointment. I therefore recommend that Sri K.Krishnaya may be invested with all ordinary powers of a I Class Magistrate under Sec 260 Cr.P.C. The application in the prescribed form is also enclosed.

Yours faithfully,

For Dt.Magistrate.

Ref. C.No. 4745/53.

Application for the Appointment of an Honorary Magistrate for the I Class Bench court at Udipi in the District of South Kanara.

****

1. Name of the town: Udipi.

2. Name of the nominee in full: Sri Kalyanpur Krishnayya.

3. His qualification: B.A., Retired Dy.Collector.

4. (1) Cause of vacancy: Resignation of Sri P.Gopal Nayak.

(2) Name of existing incumbent if any, and whether or not withdrawal of his powers is necessary. — Sri P.Gopal Nayak, withdrawal of powers is necessary as he has resigned his post.

5. Number and date of the notification appointing him. — G.O.R.No.2221/ dt.31.7.52 as modified by Govt.Memo.No.242559 Courts II/52 -1 dt.6.1.53.

6. REMARKS: Sri K.Krishnayya had expereience as a Sub Divisional ~~Magixxxxxxx~~ I Class Magistrate, for 5 to 6 years and was having appellate and summary powers. He is not a member of any local body or Municipal council. He is at present the special I Class Magistrate Udipi and was invested with I Class Powers in G.O.Ms.55 (Home Department) dated 6.1.53. He may be appointed as a member of the Bench of Magistrates at Udipi with first class powers.

S.K.Dt.Magistrate's Office,
Mangalore dt.11.10.53

For Dt.Magistrate.

To

The Secretary to Government,
Home Department Fort St.George,
Madras 9.

12.10.

Udipi 5

From.

Sri P. Gopal Nayak
Land Lord Udipi.

D. 5-10-53.

To The District Magistrate,
South Canara. Mangalore.

SOUTH KANARA
COLLECTOR'S OFFICE
8 - OCT 1953
No.

Dear Sir,

your Ref. No. C.3. 4745/53.
27.9.53.

As the work for which I had taken leave may require another 2 or 3 months to complete it, it may not be possible for me to join duty before that period. I therefore tender my resignation for the membership of the 1st class Bench Court Udipi.

Yours faithfully,

5-10-53

(=No 193069 dis II/53)

302—30-4-49.

21/1/54
26/10/54

HOME DEPARTMENT.

G.O.R. No. 3746 , *dated* 26.10.53

Magistrates—Honorary— SOUTH KANARA district,—
UDIPI First class Bench Court —GOPALA ~~Bandeshwara~~ NAYAK Sri P.—
Resigned — Powers withdrawn.— Sri KALYANPUR KRISHNAYYA — Appointed.

Read.—G.O.R. No. 2221 Home, dated 31-7-52
M/17-184(C) From the D.M. South Kanara Ref. C-3-4745/53
Dated 11.10.53

1-1-54

ORDER.

The following notifications will be published in the *Fort St. George Gazette* :—

Notifications

I

In exercise of the powers conferred by (Central Act V of 189
~~Under the provisions of~~ section 41 of the Code of Criminal Procedure, 1898, ~~His Excellency~~ the Governor of Madras, hereby withdraws the powers of a Special Magistrate for the area comprised within the jurisdiction of the Bench of Magistrates at
— UDIPI — in the district of SOUTH KANARA
conferred on Sri PANGAL GOPALA NAYAK
who has resigned the appointment. Cf. Memo

[P.T.O for Notfn II]

To the D.M.
To the S.G.P. for publication of the notification in the F.S.G.G.
To the Honorary Magistrate concerned through the D.M.
Copy to P.W. (I. and P.) Department.

MR-10169/1654/4-11-53

II

Notification

In exercise of the powers conferred by sub-section (1) of section 14 of the Code of Criminal Procedure, 1898 (Central Act V of 1898), the Governor of Madras hereby confers on the undermentioned person all the ordinary powers of a Magistrate of the first class and directs that he shall sit as member of the Bench of Magistrates established at the place specified against his name for the trial of the offences specified in and subject to the provisions of Home (Judicial) Department Notification No. 737, dated the 13th August, 1919, published at pages 1040 and 1041 of Part I of the Fort St. George Gazette, dated the 26th August, 1919, as subsequently amended, and arising within the limits of the jurisdiction of the Bench:-

Cp para 4 p2cf

Sri KALYANPUR KRISHNAYYA	}	UDIPI in the district of SOUTH KANARA

In modification of

2. ~~The attention of the Special Magistrates is invited~~ to the Home Department Notification No. 337, dated 27th February, 1939 published at page 324 of Part I of the Fort St. George Gazette dated 14th March, 1939 ~~and they are~~ informed that ~~their~~ appointment as Special Magistrates is for a period ~~of two years from the date of this order~~ upto 30-7-1954

Sri KALYANPUR KRISHNAYYA is

Cp para 3 p18cf (B)

22.10.53 — 22.10.53.

23 Oct 53

NMM 1050/1655/4.11.53

To

The District Magistrate, South Kanara
The Supdt. Govt. Press for publication of the notifications in the F.S.G. Gazette (para 1 only)
The Special Magistrates through the D.M. South Kanara
(with two copies — one with notfn I only & another with notfn II and para 2 of order)

bpd 31.10.53.

Note:- The draft order above is in accordance with the proposals of the D.M. South Kanara on pp1-2cf and may be approved.

22.10.53 — 22.10.53.

Approved
23 Oct 53